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RHMFISS/CDRUSAREUR HEIDELBERG GE PRIORITY  
RHMFIUU/HQ USAFE RAMSTEIN AB GE PRIORITY  
RHMFISS/HQ USEUCOM VAIHINGEN GE PRIORITY  
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RUEKJCS/JOINT STAFF WASHINGTON DC PRIORITY  
RUEHRL/USDAO BERLIN GE PRIORITY

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E.O. 12958: N/A

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SUBJECT: NATO SOFA STATUS FOR USAFRICOM CIVILIANS: GERMANY  
PROPOSES 100-PERSON LIMIT ON NON-DOD CIVILIANS

REF: STATE 167990

[1](#)1. (U) This cable contains an action request. See para 4.

[1](#)2. (SBU) Pol-mil chief provided the U.S. diplomatic note in reftel to the director of the MFA Office on the Legal Framework for the Stationing of Foreign Military Forces (Referat 503), Onno Hueckmann, on December 20. On January 10, a legal advisor from Referat 503, Philipp Reszat, called and advised post that while his office had its doubts about the applicability of the NATO SOFA to a U.S. geographic military command operating where NATO is not active, it was willing to compromise and offer the requested NATO SOFA status for up to 100 non-DOD U.S. government civilian employees occupying positions at USAFRICOM. Reszat noted that 100 non-DOD U.S. government civilians were what the MFA understood to be the upper limit of what USAFRICOM expected to have in its employ for the foreseeable future. If such a cap were acceptable to the United States, he suggested that the U.S. change the wording of the original diplomatic note accordingly and re-submit it to MFA. Reszat agreed that the addition of the 100-person cap to the diplomatic note would not prejudice the ability of the United States to seek an increase in the limit at some later date, if that proved necessary.

[1](#)3. (SBU) To accommodate Germany's request for a 100-person limit on non-DOD U.S. government civilian employees in USAFRICOM, post suggests the following change to the first sentence of the second paragraph of the reftel diplomatic note. MFA has tentatively agreed to this wording:

"The Embassy proposes that the Federal Foreign Office shall treat all non-Department of Defense U.S. government civilian employees who occupy positions at USAFRICOM, up to a maximum of 100 personnel, as members of the 'civilian component' of the United States' force..."

[1](#)4. (U) ACTION REQUEST: Post requests authorization to re-submit the U.S. diplomatic note in reftel to MFA, incorporating the change outlined in para 3.

TIMKEN JR